

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff

v.

DAVON LYNN SMITH,

Defendant.


Case No. 3:19-mj-00209-DMS

**AFFIDAVIT IN SUPPORT OF  
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, JESSICA HAIS, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI), and have been since April 2010. In this assignment, I have investigated a number of violations of United States Code. I am currently assigned to the Violent Crime Squad in the FBI Anchorage Field Office, and specifically assigned to work violent crimes against children investigations, including but not limited to internet crimes against children, online enticement of children, child pornography possession and distribution, and commercial sexual exploitation of children. I have also conducted investigations of human trafficking, civil rights violations, and public corruption. I have conducted and



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participated in numerous search warrants, arrest warrants, and interviews of people involved in various crimes.

2. The statements in this affidavit are based in part on information provided to me by other law enforcement officers, police reports, and on my own investigation of this matter, to include interviews with multiple witnesses. I have not included each and every fact known to me concerning this investigation. I have only set forth the facts that I believe are necessary to establish probable cause that a violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C) has been committed.

#### **FACTS IN SUPPORT OF PROBABLE CAUSE**

3. On May 13, 2019, the FBI executed Federal Search Warrant 3:19-MJ-00207-MMS at 6236 E 12th Ave., Apt. B3, Anchorage, Alaska (hereinafter referred to as "the residence."). The residence is rented and occupied by Pahoua Chang. In addition, multiple witnesses told law enforcement that Davon Lynn Smith lives at the residence with Chang. One witness specifically noted that Smith and Chang share a bedroom at the residence. Smith's address in law enforcement databases is 631 East 22<sup>nd</sup> Ave., Apt. B1, Anchorage, Alaska.

4. Davon Lynn Smith was observed by FBI surveillance leaving the subject residence at approximately 2:15pm on May 13, 2019 and walking onto E 12<sup>th</sup> Ave. As soon as he entered the street, Smith turned around and walked back towards the subject residence. As FBI SWAT prepared to make entry into subject residence, Davon Lynn



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Smith was again observed walking out of the front door of subject residence onto E 12<sup>th</sup> Avenue towards a silver BMW, Alaska License Plate JNP205, parked on E 12th Ave. During his approach of this vehicle, but prior to attempting to enter the vehicle, Smith was detained by FBI SWAT and searched. Multiple witnesses described this vehicle as belonging to Smith. FBI SWAT officers searched Smith, and recovered a set of keys. The key ring found on Smith included a BMW car key, a silver Walmart key with the inscription "66," and two Sentry keys with the inscription "302" on each key face. Additionally, \$725.00 in cash was found on Smith's person prior to his transport back to the FBI for interview.

5. During the search of the residence, FBI agents located a Sentry safe in the bedroom described by witnesses as having been occupied by Chang and Smith. FBI agents used one of the Sentry keys from Smith's key ring to open this safe. Inside the safe, FBI agents found two clear-colored bags of suspected heroin, as pictured in the photograph below. This suspected heroin was field tested by FBI agents on May 14, 2019, and both bags tested positive for heroin. Both bags were weighed at the FBI's Evidence Control Center (ECC). One bag weighed 47.3 grams and the other bag weighed 65.6 grams. A scale containing trace amounts of suspected heroin was also



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found in the bedroom containing the safe.



6. Located in the bedroom closet with the safe were numerous items of male clothing and shoes.

7. Pursuant to the search warrant, law enforcement seized and examined a cell phone belonging to Chang. Located on the phone were numerous text messages between Chang, identified as Lil Mama, and Smith, identified as Drizzy. In one exchange on March 30, 2019, Chang was upset with Smith and one of his friends because they were not cleaning up after themselves in the residence. As part of the ensuing argument that

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occurred through text messages, Chang accused Smith of being a heroin dealer on multiple occasions. A copy of the relevant portion of the text exchange follows:

From	Message
Lil Mama	You don't have a job
Lil Mama	Lmao <sup>1</sup>
Drizzy	Lmao
Lil Mama	Use fake pay stubs
Drizzy	u so funny lol
Drizzy	i'll always win
Lil Mama	Lmao
Lil Mama	Heroine seller
Drizzy	idk what that is
Lil Mama	You tryna play stupid
Lil Mama	Because you don't want no cops to read this
Lil Mama	It's all good tho
Lil Mama	Called me a bitch
Lil Mama	Youre the bitch too
Drizzy	what i'm to smart i don't sell drugs lol

<sup>1</sup> I know from my training and experience that LMAO is an acronym meaning "laughing my ass off."



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From	Message
Drizzy	what do you do ?
Lil Mama	Don't worry
Lil Mama	We all know what you do
Drizzy	i'm legally imploied
Drizzy	nobody but u is saying that lol
Lil Mama	By selling illegal drugs ?
Drizzy	what do u do again ?
Drizzy	where do u work ?
Lil Mama	I do nothing
Lil Mama	Lmao
Drizzy	i forgot lol
Drizzy	do u have a paystub ? i got mine .. do u have any ?
Lil Mama	You can threaten all you want , you're homeless bitch
Drizzy	how do u pay rent at your house?
Lil Mama	Go back to your mom
Drizzy	i'm confused ?
Lil Mama	You're homeless



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From	Message
Drizzy	lol i got 50 racks lmao <sup>2</sup>
Drizzy	i can get a house anytime i want lmao
Lil Mama	From selling heroine
Lil Mama	Go get a house then
Drizzy	Stooooooooooooopid

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<sup>2</sup> I know from my training and experience that a rack is slang for \$1000.



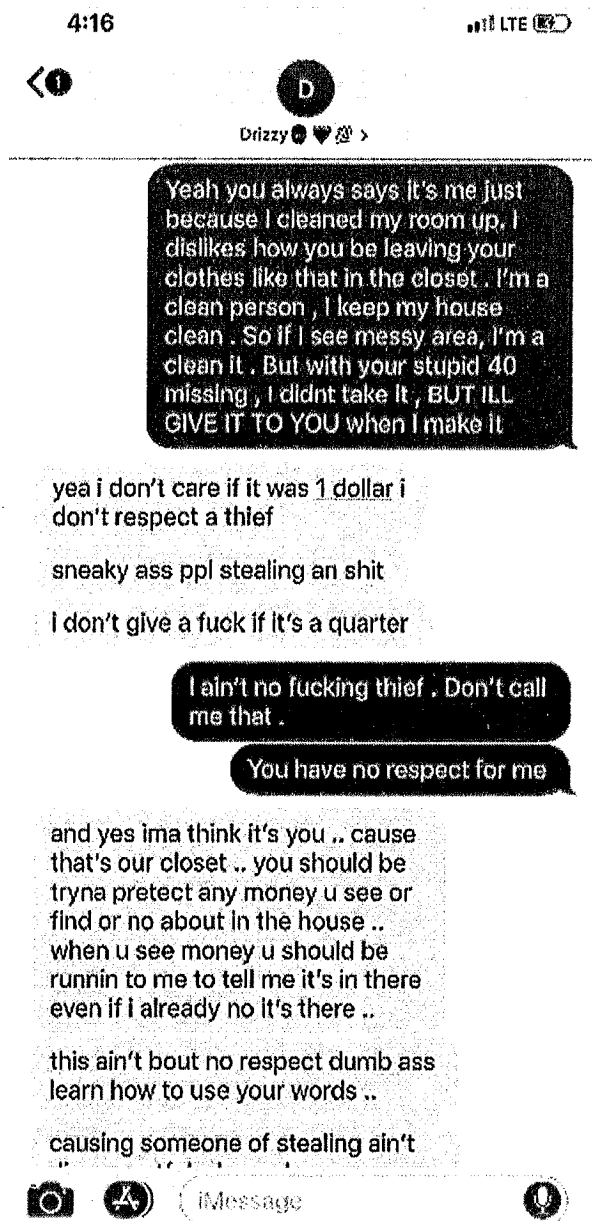
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8. On April 16, 2018, Chang and Smith exchanged text messages about Chang picking up after Smith and Smith's belief that Chang had taken money from a pair of jeans that she had folded and put away for him. Chang screen captured those messages and saved them to her phone. That screen capture is below:

A handwritten signature in black ink, appearing to be a stylized 'M' or 'J' followed by a loop.

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9. On April 28, 2019, Chang and Smith exchanged messages about Chang missing money. In response, Smith told Chang that she should store her money in “the safe.” Chang screen captured that exchange. That message is below:

*[Handwritten signature]*

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10. During a statement to law enforcement following the search, Smith denied living in the residence, but said he stayed there occasionally. Smith also denied any knowledge of the safe.

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## CONCLUSION

11. Based upon the information above, your affiant submits that there is probable cause to believe that on May 13, 2019, Davon Lynn Smith possessed with the intent to distribute 112.9 grams of heroin, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).



JESSICA HAIS  
Special Agent  
Federal Bureau of Investigation

Subscribed and sworn to before me this  
15 day of May, 2019

  
~~DEBORAH M. SMITH~~ MATTHEW M. SCOTCH  
Chief United States Magistrate Judge  
District of Alaska  
Anchorage, Alaska

